

02-01-01 v. Fee

A

Attorney Docket No. EIP-5569 Cont. (1417G P 538)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Continuation Patent Application Of:
Tuin Bui, Doron Levitas and Stephen L. Axel

) Prior Pending Application:
) Application No. 09/248,492
) Filed: February 10, 1999

Mailed: January 31, 2001

) Present Application:
) Examiner: Not Assigned
) Art Unit: Not Assigned

For: METHOD AND APPARATUS FOR
AUTOMATICALLY CONTROLLING THE
LEVEL OF MEDICATION

)
)
)

J1002 U.S. PTO
09/773228
01/31/01

**CONTINUATION PATENT APPLICATION
TRANSMITTAL FILING UNDER 37 C.F.R. §1.53(b)**

Box Patent Application
Commissioner For Patents
Washington, DC 20231

Dear Sir:

This is a request under 37 C.F.R. § 1.53(b) for filing a continuation application of co-pending U.S. Application No. 09/248,492, filed February 10, 1999. The parent application was filed by Applicants Tuan Bui, Doron Levitas, and Stephen L. Axel, and is similarly entitled "Method and Apparatus for Automatically Controlling the Level of Medication."

Benefit of Prior U.S. Applications

The attached continuation application being transmitted claims the benefit of a prior U.S. application, as indicated below.

Papers Enclosed

In accordance with 37 C.F.R. § 1.63(d), the specification filed herewith contains no new matter. Accordingly, a copy of the executed Declaration and Power of Attorney and a copy of the Power of Attorney by Assignee of Entire Interest (Revocation of Prior Powers) from the parent application (U.S. Application No. 09/248,492) are submitted herewith.

The papers attached are as follows:

27 pages of Specification;
5 pages of Claims;
1 page of Abstract; and,
7 sheets of Formal Drawings containing Figures 1-8.

Attorney Docket No. 1417G 538
 Inventors: Tuan Bui, et al.
 Title: "Method and Apparatus for Automatically Controlling
 the Level of Medication"

Page 2

Incorporation by Reference

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated herein by reference.

Inventorship Statement

The inventorship for all the claims in this application is the same as that for the parent application.

Fee Calculation (37 C.F.R. § 1.16)

The filing fee has been calculated as shown below:

			Small Entity		or	Other Than A Small Entity	
For:	No. Filed	No. Extra	Rate	Fee		Rate	Fee
Basic Fee				\$355	or		\$710
Total Claims	18 - 20 =	0	x 9 =	\$-0-	or	x 18=	\$-0-
Indep. Claims	4 - 3 =	1	x 40 =	\$-0-	or	x 80 =	\$ 80
<input type="checkbox"/> First Presentation of Multiple Dependent Claim			x 135 =	\$-0-	or	x 270 =	\$-0-
			Total	\$-0-	or	Total	\$790

The filing fee in the amount of \$790 will be forwarded upon receipt of the Notice to File Missing Parts of the Application.

Relate Back--35 U.S.C. 120

As required under 35 U.S.C. 120, the Specification of the attached application will be amended in a Preliminary Amendment to be filed and will include the following specific reference to the earlier filed parent application:

"Related U.S. Application Data

This application is a continuation of co-pending U.S. Application No. 09/248,492, filed February 10, 1999, from which this application claims priority."

Attorney Docket No. 1417G 538

Inventors: Tuan Bui, et al.

Title: "Method and Apparatus for Automatically Controlling
the Level of Medication"

Page 3

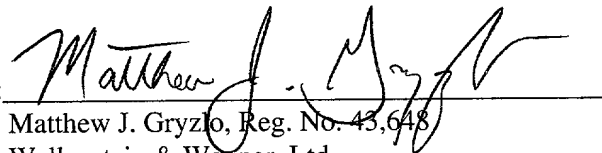
Please address all future communications to:

Francis C. Kowalik, Esq.
Corporate Counsel, Law Department
Baxter International Inc.
One Baxter Parkway, DF2-2E
Deerfield, IL 60015

Respectfully submitted,

Date: January 31, 2001

By:



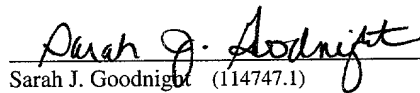
Matthew J. Gryzlo, Reg. No. 43,648
Wallenstein & Wagner, Ltd.
311 South Wacker Drive, 53rd Floor
Chicago, IL 60606-6630
312.554.3300
Attorneys for Applicant

CERTIFICATION UNDER 37 C.F.R. § 1.10

Express Mail Label No. EL626159405US

Date of Deposit: January 31, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service, postage prepaid, under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Box Patent Application, Commissioner for Patents, Washington, D.C. 20231.



Sarah J. Goodnight (114747.1)